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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

July 15, 2004

In re application of : McCARTER, William
Serial No. : 10/709,432
Filed : May 5, 2004
For : **COOLING GARMENT FOR USE WITH A
BULLET PROOF VEST**
Examiner : Unknown
Art Unit : 3765
Our File No. : 10893.3801

PETITION TO MAKE SPECIAL

Mail Stop Petitions
Hon. Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

COMES NOW the Applicant by and through his/her counsel and requests the Commissioner of Patents to make the above-styled application special under the provision of the Patent Office Rules on the ground that the Applicant is over sixty-five years of age. Enclosed herewith is an affidavit executed by the Applicant showing that his/her age is greater than sixty-five years.

Any additional charges, including extension of time, please bill our Account No. 13-1130.

Respectfully submitted,

Barry L. Haley, Reg. No. 25,389
Malin, Haley & DiMaggio, P.A.
1936 South Andrews Avenue
Fort Lauderdale, Florida 33316
(954) 763-3303



Serial No.: 10/709,432

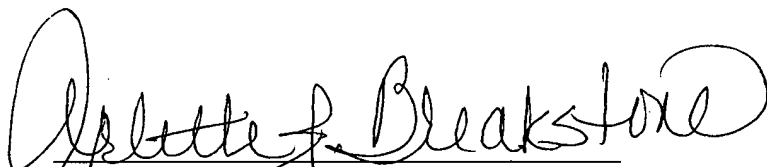
Our File No.: 10893.3801

CERTIFICATE OF MAILING

I HEREBY CERTIFY that the following correspondence: Petition to Make Special; Affidavit; and a Return Postcard for confirmation of receipt is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Petitions, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on **this 15th day of July, 2004.**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code.

Any additional charges, including extension of time, please bill our Account No. 13-1130.


Arlette J. Breakstone / Paralegal

Date: July 15, 2004

MALIN, HALEY & DiMAGGIO, P.A.
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1336 South Andrews Avenue
Fort Lauderdale, Florida 33316
(954) 763-3303



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : McCARTER, WALTER
Serial No. : 10/709,432
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AFFIDAVIT

Mail Stop Petitions
Commissioner for Patents
Alexandria, VA 2213-1450

Dear Sir:

I, Walter McCarter, swear and attest that I am the Co-Applicant and Co-Inventor of the invention described in U.S. Patent Application Serial Number 10/709,432, entitled COOLING GARMENT FOR USE WITH A BULLET PROOF VEST, filed May 5, 2004, and that I am over sixty-five (65) years of age. I am submitting this affidavit in order that the patent application may be made special by the Commissioner of Patents.

I hereby declare that all statements made herein of my own knowledge are true, and the statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

Date:

July 11, 2004

Walter McCarter

WALTER McCARTER,
Co-Applicant and Co-Inventor